

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the foregoing amendments and the following remarks.

Claim Status

Claims 1, 3, 4, 10, and 11 are pending. Claims 2, and 5 - 9 have been cancelled. Claim 1 is amended to put it in better form for appeal.

\$103 Rejection - Unexpected result

In the Final Office Action, The Examiner states: "that the molar ratio of nicotine-sweetener compound is 1:2, such differences would have been obvious to one having ordinary skill in the art as routine modification of the product, in an effort to optimize the unpleasant taste, in absence of a showing of unexpected results." (emphasis added, Sentence bridging pages 2 - 3). Applicant has made such a showing.

In the Table at Page 11 of the specification, Applicant compares a compound having a 1:1 ratio (first column under **Compound**) to compounds having 1:2 ratios (columns 2 - 4 under **Compound**). In each instance, the latter compounds, having the 1:2 molar ratio, had no nicotine taste after 5 minutes, while the previous compound had nicotine taste after 10 seconds. The 1:2

compounds are 30 times better than the 1:1 compound. This is certainly an unexpected result!

Conclusion

In view of the foregoing, Applicant respectfully requests an early Notice of Allowance in this application.

It is not believed that fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional fees are necessary to allow consideration of this paper, the fees are hereby authorized to be charged to Deposit Account No. 50-2193.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on Dec. 11, 2003.

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